

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JOHN BREWER,

Petitioner,

v.

JUSTIN PAGE,

Respondent.

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No. 4:24-CV-01312 ACL

**MEMORANDUM AND ORDER**

Review of the record in this matter indicates that petitioner John Brewer has not signed the form petition for writ of habeas corpus, nor has he paid the \$5 filing fee or submitted a motion to proceed without prepaying fees or costs. *See* 28 U.S.C. § 1915(a). As such, the Court will direct the Clerk of Court to send petitioner the Court’s forms: “Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody” and “Motion to Proceed in Forma Pauperis and Affidavit in Support – Habeas Cases.” Petitioner will have twenty-one (21) days to file a signed amended § 2254 petition and either pay the \$5 filing fee or submit a motion to proceed in forma pauperis in this action.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of Court is directed to mail to petitioner a copy of the Court’s forms: “Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody” and “Motion to Proceed in Forma Pauperis and Affidavit in Support – Habeas Cases.”

**IT IS FURTHER ORDERED** that petitioner shall file a signed amended petition on the Court-provided form within **twenty-one (21) days** of the date of this Order. Petitioner is advised

that his amended petition will take the place of his original petition and will be the only pleading that this Court will review.

**IT IS FURTHER ORDERED** that petitioner shall either pay the \$5 filing fee or submit the “Motion to Proceed in Forma Pauperis and Affidavit in Support – Habeas Cases” within **twenty-one (21) days** of the date of this Order.

**IT IS FURTHER ORDERED** that if petitioner fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 3<sup>rd</sup> day of October, 2024.

A handwritten signature in black ink, reading "Abbie Crites-Leoni".

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ABBIE CRITES-LEONI  
UNITED STATES MAGISTRATE JUDGE